



General Assembly

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Sixty-second session
Fifth Committee
Agenda item 134
Joint Inspection Unit

Draft resolution submitted by the Chairman following informal consultations

Report of the Joint Inspection Unit for 2007 and programme of work for 2008

The General Assembly.

Reaffirming its previous resolutions on the Joint Inspection Unit, in particular resolutions 31/192 of 22 December 1976, 50/233 of 7 June 1996, 54/16 of 29 October 1999, 55/230 of 23 December 2000, 56/245 of 24 December 2001, 57/284 A and B of 20 December 2002, 58/286 of 8 April 2004, 59/267 of 23 December 2004, 60/258 of 8 May 2006, 61/238 of 22 December 2006, 61/260 of 4 April 2007 and 62/226 of 22 December 2007.

Reiterating that the impact of the Unit on the cost-effectiveness of activities within the United Nations system is a shared responsibility of the Member States, the Unit and the secretariats of the participating organizations,

Reaffirming the commitment by the Unit, the legislative organs and the secretariats of the participating organizations to implement a system of follow-up on the recommendations of the Unit, as set out in resolution 54/16.

Reaffirming also the unique role of the Unit as the only system-wide external oversight body,

Having considered the report of the Joint Inspection Unit for 2007 and programme of work for 2008,¹

1. *Recalls* its resolutions 61/260 and 62/226;
2. *Takes note with appreciation* of the annual report of the Joint Inspection Unit for 2007 and programme of work for 2008;¹

¹ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 34A (A/62/34/Add.1).*

3. *Welcomes* the joint presentation of the annual report and the programme of work of the Unit for consideration at the first part of its resumed session;

4. *Also welcomes* progress in the reform process of the Unit, and encourages further efforts on the part of the participating organizations to consider the recommendations of the Unit;

5. *Commends* the Unit for its internal reform process aimed at improving its efficiency and effectiveness, and invites the Unit to report to the General Assembly at its sixty-third session on measures the Unit deems necessary to continue to improve its functioning;

6. *Requests* the Unit, in line with its mandate, to continue to focus its work and reports on issues of system-wide interest and relevance to the participating organizations and the Member States of the United Nations and to provide advice on ways to ensure the more efficient and effective use of resources in implementing the mandates of the Organization;

7. *Reiterates its request* to the executive heads of the participating organizations to fully comply with the statutory procedures for consideration of the reports of the Unit, in particular to submit their comments and to distribute reports in time for their consideration by legislative organs;

8. *Requests* the Secretary-General, in his capacity as Chairman of the United Nations System Chief Executives Board for Coordination, to expedite the implementation of the present resolution, including through the expected provision of support to the Unit by the secretariats of the participating organizations for the preparation of its reports, notes and confidential letters and the consideration of and action on the Unit's recommendations in the light of pertinent General Assembly resolutions, and to report thereon to the Assembly on an annual basis on the results achieved;

9. *Reiterates its request* to the Secretary-General and the other executive heads of the participating organizations to fully assist the Unit, with the timely provision of all information requested by it;

10. *Reiterates its invitation* to the legislative organs of the participating organizations to take concrete action on the recommendations of the Unit;

11. *Notes with appreciation* the ongoing efforts of the Unit to report on the impact of its recommendations, as illustrated in paragraph 49 of its annual report,¹ and in this context, requests the Unit to work in coordination with participating organizations to provide in future annual reports the financial implications that have resulted from its recommendations wherever possible;

12. *Invites* the Unit to report in the context of its annual reports on experience in the implementation of the follow-up system by the participating organizations;

13. *Notes with appreciation* the introduction of a table for system-wide reports entitled "Overview on action to be taken by participating organizations on Joint Inspection Unit recommendations" that identifies which recommendations are relevant to each organization and that specifies which ones require legislative decisions and which ones can be implemented by the executive head of the organization;

14. *Notes with concern* paragraph 39 of the annual report,¹ in which the Unit describes the difficulty it has had in obtaining from some organizations updated information on the status of its recommendations, and in this regard requests the Unit to study the feasibility of using a web-based system to monitor the status of recommendations and receive updates from individual organizations;

15. *Expresses its readiness* to apply the follow-up system to review recommendations of the Unit requiring action by the General Assembly;

16. *Affirms* that oversight is a shared responsibility among Member States, the organizations and the internal and external oversight bodies;

17. *Recalls* paragraph 9 of its resolution 62/224 of 22 December 2007, and encourages the Secretary-General, in his capacity as Chairman of the Chief Executives Board, to enhance the dialogue of the Board with the Joint Inspection Unit on coordination issues;

18. *Welcomes* the coordination of the Unit with the Board of Auditors and the Office of Internal Oversight Services, and encourages those bodies to continue sharing experiences, knowledge, best practices and lessons learned with other United Nations audit and oversight bodies as well as with the Independent Audit Advisory Committee;

19. *Takes note with appreciation* of the information contained in paragraph 63 of the annual report,¹ and encourages the Unit to keep the General Assembly informed, if necessary, about any difficulty or delay in obtaining visas for the official travel of the inspectors, as well as members of its secretariat;

20. *Requests* the Unit to provide at its earliest convenience a detailed explanation of the nature and scope of the investigations the Unit envisions conducting.



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Agenda items 126, 128, 136 and 140

Review of the efficiency of the administrative and financial functioning of the United Nations

Programme budget for the biennium 2008-2009

Report on the activities of the Office of Internal Oversight Services

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Draft resolution submitted by the Chairman following informal consultations

Strengthening investigations

The General Assembly,

Recalling its resolutions 48/218 B of 29 July 1994, 54/244 of 23 December 1999, 57/282, section IV, of 20 December 2002, 59/272 of 23 December 2004, 59/287 of 13 April 2005, 61/245 of 22 December 2006, 61/275 and 61/279 of 29 June 2007, 61/267 B of 24 July 2007 and 62/234 of 22 December 2007,

Recalling also paragraph 10 of its resolution 59/287,

Having considered the report of the Secretary-General on strengthening investigations;¹ the report of the Office of Internal Oversight Services on the activities of the Procurement Task Force for the 18-month period ended 30 June 2007;² the note by the Secretary-General transmitting his comments thereon³ and the related report of the Advisory Committee on Administrative and Budgetary Questions,⁴

1. Takes note of the report of the Office of Internal Oversight Services² and the related note by the Secretary-General;³

¹ A/62/582 and Corr.1.

² A/62/272.

³ A/62/272/Add.1.

⁴ A/62/7/Add.35.



2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,⁴ subject to the provisions of the present resolution;

3. *Notes in particular* the concern of the Advisory Committee stated in paragraph 5 of its report;

4. *Stresses* that the lack of explicitly written rules and regulations for procedures relating to investigations negatively affects fairness and due process rights;

5. *Expresses concern* that the current investigations manual of the Office of Internal Oversight Services appears to lack useful and practical information for investigators compared with similar manuals used in other international organizations and that it also appears not to contain sufficient working instructions for conducting investigations;

6. *Notes with appreciation* the efforts being made by the Office of Internal Oversight Services to improve the conduct of its investigations by applying international best practices and ensuring respect for the due process rights of all United Nations staff;

7. *Affirms* that transparent, predictable, accountable and objective operational strategies and investigation procedures contribute to the effective functioning of the system of administration of justice;

8. *Notes with concern* that concerns have been raised regarding due process rights in investigations, stresses that the due process rights afforded to staff in investigations carried out by the Office of Internal Oversight Services have to withstand review by the system of administration of justice, and reiterates its request to the Secretary-General to develop a comprehensive approach to fully undertake the Organization's responsibility in ensuring the due process rights of its staff under investigation;

9. *Re-emphasizes* the principle of separation, impartiality and fairness on the part of those with responsibility for investigation functions;

10. *Stresses* that the purpose of the Office of Internal Oversight Services is to assist the Secretary-General in fulfilling his internal oversight responsibilities;

11. *Reaffirms* that the Office of Internal Oversight Services is the internal body entrusted with investigation in the United Nations;

12. *Also reaffirms* that trained heads of offices, programme managers and boards of inquiry, as well as the Department of Safety and Security and the Ethics Office, may carry out administrative inquiries and investigations, except in cases of serious misconduct and/or criminal behaviour, in accordance with resolution 59/287;

13. *Takes note* of the development of a comprehensive training module designed to build the capacity of United Nations staff to support administrative inquiries or investigations, as well as of a special training programme for investigating allegations of sexual harassment, by the Office of Internal Oversight Services;

14. *Recalls* paragraphs 3, 8 and 10 of its resolution 59/287, and requests the Secretary-General to continue to increase basic investigation training, as appropriate, for the handling of minor forms of misconduct;

15. *Reaffirms* its decision that in cases of serious misconduct and/or criminal behaviour, investigations should be conducted by professional investigators;

16. *Also reaffirms* that any changes that have administrative and financial implications be submitted by the Secretary-General and be subject to the review and approval of the General Assembly in accordance with established procedures;

17. *Requests* the Secretary-General to prepare, in close cooperation with the Office of Internal Oversight Services, for its consideration at its sixty-third session, a report providing detailed information regarding, inter alia:

(a) The status of implementation of its resolution 59/287;

(b) Updated and detailed information on all the entities other than the Office of Internal Oversight Services carrying out administrative inquiries and investigations, their legislative basis and precise role, the number and types of cases handled, related resources, reporting mechanisms, standards and guidelines involved and training imparted;

(c) The status of work done under general temporary assistance resources equivalent to six positions to establish a training capacity for the Investigations Division to enable programme managers to handle category II cases of misconduct⁵ and the assessment of such work and any other related work carried out for the same purpose, as well as the future workplan thereof;

18. *Also requests* the Secretary-General to prepare for its consideration and approval, in close cooperation with the Office of Internal Oversight Services, a report providing detailed information on terms of reference with regard to the proposed comprehensive review of investigations in the United Nations before the General Assembly decides on the necessity of such a review, taking into account the role and mandate of the Office of Internal Oversight Services as established in its resolution 48/218 B, the framework for investigation adopted in its resolutions 57/282, section IV, and 59/287, the reform of the system of administration of justice, the decisions of the Assembly to strengthen the investigation function of the Office of Internal Oversight Services and its decisions on the accountability framework, results-based management, enterprise risk management and the internal control framework;

19. *Further requests* the Secretary-General to report to the General Assembly on practices related to the sharing of information between the Organization and law enforcement authorities of Member States as well as to referrals to such authorities of possible criminal cases related to United Nations staff, United Nations officials and experts on mission, taking into account its resolution 62/63 of 6 December 2007 and other relevant legal instruments.

⁵ See A/58/708, para. 27.

II

Financing of field missions of the Peacebuilding Commission

Having considered the note by the Secretary-General on the financing of field missions of the Peacebuilding Commission³ and the related report of the Advisory Committee on Administrative and Budgetary Questions,⁴

1. *Takes note* of the note by the Secretary-General;³
2. *Also takes note* of the preliminary estimate of 676,300 dollars for field missions of the Peacebuilding Commission under the programme budget for the biennium 2008-2009;
3. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;⁴

III

Estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council: additional requirements for special political missions for the period from 1 January to 31 December 2008

Recalling section V of its resolution 62/238 of 22 December 2007,

Having considered the report of the Secretary-General on the estimates in respect of special political missions, good offices and other political initiatives authorized by the General Assembly and/or the Security Council⁵ and the related report of the Advisory Committee on Administrative and Budgetary Questions,⁶

1. *Takes note* of the report of the Secretary-General;³
2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,⁶ subject to the provisions of the present resolution;
3. *Decides* to maintain the staffing for the Office of the Special Envoy of the Secretary-General for Lord's Resistance Army-affected areas at the level currently funded under the provisions of its resolution 62/239 of 22 December 2007 on unforeseen and extraordinary expenses;
4. *Also decides* to review the staffing and resource allocation for the Special Envoy of the Secretary-General for Lord's Resistance Army-affected areas at the main part of its sixty-third session in the context of the 2009 budget proposal for special political missions;
5. *Further decides* to redeploy twenty-two positions (Local level) from the Electoral Assistance Office of the United Nations Mission in Nepal according to the needs of the Mission;
6. *Approves* additional budgets for special political missions for 2008 totalling 48,954,400 dollars net (53,571,500 dollars gross);

³ A/62/670.

⁴ A/62/7/Add.33.

⁵ A/62/512/Add.6.

⁶ A/62/7/Add.37.

7. *Takes note* of the balance of 17,322,800 dollars in the overall provision for special political missions under section 3, Political affairs, of the programme budget for the biennium 2008-2009;

8. *Decides* to appropriate, under the procedure provided for in paragraph 11 of annex I to its resolution 41/213 of 19 December 1986, an additional amount of 31,631,600 dollars under section 3, Political affairs, of the programme budget for the biennium 2008-2009;

9. *Also decides* to appropriate an amount of 4,617,100 dollars under section 35, Staff assessment, to be offset by a corresponding amount under income section 1, Income from staff assessment, of the programme budget for the biennium 2008-2009.



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Agenda item 128

Programme budget for the biennium 2008-2009

Draft decision submitted by the Vice-Chairman following informal consultations

Conditions of service and compensation for officials other than Secretariat officials: members of the International Court of Justice and judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda

The General Assembly, having considered the report of the Secretary-General¹ and the related report of the Advisory Committee on Administrative and Budgetary Questions:²

(a) Endorses the conclusions and recommendations of the Advisory Committee on Administrative and Budgetary Questions as contained in paragraphs 8 and 9 of its report;²

(b) Decides to set, effective 1 April 2008, the annual net base salary of the members of the International Court of Justice and judges and ad litem judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda at 158,000 United States dollars, with a corresponding post adjustment multiplier equal to 1 per cent of the net base salary, to which would be applied the post adjustment multiplier for the Netherlands or the United Republic of Tanzania, as appropriate, taking into account the adjustment mechanism as proposed by the Secretary-General in paragraph 77 of his report;³

(c) Recalls paragraph 11 of its resolution 61/262 of 4 April 2007, and decides to revert to the issue of the pension scheme during the second part of its resumed sixty-second session.

¹ A/62/538 and Add.1.

² A/62/7/Add.36.

³ A/62/538.





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Agenda item 126

**Review of the efficiency of the administrative and
financial functioning of the United Nations**

Draft decision submitted by the Chairman

Questions deferred for future consideration

The General Assembly:

Section A

Decides to defer until the second resumed part of its sixty-second session consideration of the following agenda item and related documents:

Item 126: Review of the efficiency of the administrative and financial functioning of the United Nations

Report of the Secretary-General on a comprehensive report on United Nations procurement activities¹

Report of the Office of Internal Oversight Services on the audit of the application of the best value for money principle in United Nations procurement²

Note by the Secretary-General transmitting his comments on the report of the Office of Internal Oversight Services on the audit of the application of the best value for money principle in United Nations procurement³

Report of the Advisory Committee on Administrative and Budgetary Questions⁴

¹ A/62/525.

² A/61/846.

³ A/61/846/Add.1.

⁴ A/62/721.



Section B

Decides to defer until its sixty-third session consideration of the following documents:

Item 128: Programme budget for the biennium 2008-2009

Report of the Secretary-General on the revised estimates relating to the proposed programme budget for the biennium 2008-2009 under section 1, Overall policymaking, direction and coordination, section 3, Political affairs, section 28D, Office of Central Support Services, and section 35, Staff assessment, related to the strengthening of the Department of Political Affairs⁵

Report of the Advisory Committee on Administrative and Budgetary Questions⁶

Letter dated 7 March 2008 from the Permanent Representatives of Antigua and Barbuda and Cuba to the United Nations addressed to the Secretary-General⁷

Letter dated 12 March 2008 from the Secretary-General to the Permanent Representatives of Antigua and Barbuda and Cuba to the United Nations⁸

Report of the Office of Internal Oversight Services on the audit of the management by the Department of Political Affairs of special political missions⁹

Item 133: Human resources management

Report of the Secretary-General on the staffing of field missions, including the use of 300- and 100-series appointments¹⁰

Report of the Secretary-General on detailed proposals for streamlining United Nations contractual arrangements¹¹

Report of the Secretary-General on the harmonization of conditions of service¹²

Report of the International Civil Service Commission for the year 2006: Addendum¹³

Report of the Advisory Committee on Administrative and Budgetary Questions¹⁴

⁵ A/62/521 and Corr.1.

⁶ A/62/7/Add.32.

⁷ A/C.5/62/24.

⁸ A/C.5/62/25.

⁹ A/61/357.

¹⁰ A/61/732.

¹¹ A/62/274.

¹² A/61/861.

¹³ *Official Records of the General Assembly, Sixty-first Session, Supplement No. 30* (A/61/30/Add.1).

¹⁴ A/62/7/Add.14 (sect. II).

Items 138 and 139:

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Report of the Secretary-General on a comprehensive proposal on appropriate incentives to retain staff of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia¹⁵

Report of the Advisory Committee on Administrative and Budgetary Questions¹⁶

Report of the International Civil Service Commission for the year 2007¹⁷

¹⁵ A/62/681.

¹⁶ A/62/734.

¹⁷ *Official Records of the General Assembly, Sixty-second Session, Supplement No. 30 and corrigendum (A/62/30 and Corr.1) (chap. II).*



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Human resources management

Draft resolution submitted by the Chairman following informal consultations

Human resources management

The General Assembly,

Recalling its resolutions 59/266 of 23 December 2004, 61/244 of 22 December 2006, section VIII of its resolution 61/276 of 29 June 2007 and section XXI of its resolution 62/238 of 22 December 2007, as well as its other relevant resolutions and decisions,

Having considered the reports of the Secretary-General on the staffing of field missions, including the use of 300- and 100-series appointments,¹ on detailed proposals for streamlining United Nations contractual arrangements² and on harmonization of conditions of service,³ the addendum to the report of the International Civil Service Commission for 2006⁴ and section II of the report of the Advisory Committee on Administrative and Budgetary Questions,⁵

1. *Takes note* of the reports of the Secretary-General on the staffing of field missions, including the use of 300- and 100-series appointments,¹ on detailed proposals for streamlining United Nations contractual arrangements,² and on harmonization of conditions of service;³

2. *Decides* to continue consideration of the issue of contractual arrangements and conditions of service, including in United Nations field operations, as a matter of priority at the main part of its sixty-third session, taking into account the conclusions and recommendations contained in section II of the report of the Advisory Committee on Administrative and Budgetary Questions,⁵ with a view to the implementation of the new arrangements and conditions on 1 July 2009.

¹ A/61/732.

² A/62/274.

³ A/61/861.

⁴ *Official Records of the General Assembly, Sixty-first Session, Supplement No. 30* (A/61/30/Add.1).

⁵ A/62/7/Add.14.

